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### PARLIAMENT SECRETARIAT

#### NOTIFICATION

*New Delhi, the 31st October, 1952*

**No. F.318-L/52.**—Under Rule 67 of the Rules of Procedure and Conduct of Business in the House of the People, the Speaker has been pleased to order the publication in the Gazette of India of the following Bill, together with the Statement of Objects and Reasons relating thereto, and the Bill and the Statement of Objects and Reasons are accordingly published for general information:—

**BILL\* No. 94 OF 1952**

*A Bill further to amend the Indian Coconut Committee Act, 1944.*

BE it enacted by Parliament as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Indian Coconut Committee (Amendment) Act, 1952.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**2. Amendment of section 2, Act X of 1944.**—For clause (c) of section 2 of the Indian Coconut Committee Act, 1944 (hereinafter referred to as the principal Act), the following clause shall be substituted, namely:—

“(c) “mill” means any premises in which or in any part of which copra is crushed or is ordinarily crushed with the aid of power for the extraction of oil;

*Explanation.*—“power” means electrical energy or any other form of energy which is mechanically transmitted and is not generated by human or animal agency;”.

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\*The President has, in pursuance of the clause (1) of Article 17 of the Constitution of India, recommended to the House of the People the introduction of the Bill.

**3. Amendment of section 4, Act X of 1944.**—In section 4 of the principal Act,—

(i) for clause (a), the following clauses shall be substituted, namely:—

“(a) the Vice-President, Indian Council of Agricultural Research;

(aa) the Agricultural Marketing Adviser with the Government of India;”

(ii) for clause (d), the following clause shall be substituted, namely:—

“(d) four persons representing, respectively, the Governments of Assam, Madras, Mysore and Travancore-Cochin, appointed in each case by the State Government concerned

(iii) for clause (g), the following clause shall be substituted, namely:—

“(g) six other persons, of whom two shall be elected from among themselves by the members of the House of the People, one shall be elected from among themselves by the members of the Council of States, one shall be nominated by the Government of the State of Mysore and two shall be nominated by the Government of the State of Travancore-Cochin.”

**4. Amendment of section 7, Act X of 1944.**—For sub-section (1) of section 7 of the principal Act, the following sub-section shall be substituted, namely:—

“(1) The Central Government may appoint any of the persons referred to in section 4 or any other person to be the President of the Committee, and if any other person is so appointed that other person shall be deemed to be a member of the Committee for all the purposes of this Act.”

**5. Amendment of section 9, Act X of 1944.**—In section 9 of the principal Act,—

(i) in sub-section (1), for the words “and coconut poonac.” the words and brackets “coconut poonac and such other coconut products (excepting coir and its products) as the Committee may determine.” shall be substituted;

(ii) for clause (b) of sub-section (2), the following clause shall be substituted, namely:—

“(b) the supply of technical advice to growers of coconut, and to persons engaged in any coconut industry;”.

**6. Insertion of new section 9A in Act X of 1944.**—After section 9 of the principal Act, the following section shall be inserted, namely:—

*“9A. Owners of mills to supply certain particulars to Collector.—*

(1) The owner of every mill shall—

(a) if the mill was established before the commencement of the Indian Coconut Committee (Amendment) Act, 1952, within fourteen days of such commencement; and

(b) if the mill is established after the commencement of the Indian Coconut Committee (Amendment) Act, 1952, within fourteen days of such establishment;

furnish to the Collector a statement containing the following particulars, namely:—

(i) the name and situation of the mill;

(ii) the name and address of the owner;

(iii) the address to which communications relating to the mill may be sent; and

(iv) the total capacity of the mill to crush copra.

(2) Whoever fails to comply with the provisions of sub-section (1) shall be punishable with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees, or with both.”

#### STATEMENT OF OBJECTS AND REASONS

Under the Indian Coconut Committee Act, 1944, the word “mill” is defined to be a place in which copra is crushed for the extraction of oil, which is a factory as defined in section 2 of the Factories Act, 1934, and, having regard to the definition of “factory”, no cess is leviable on the extraction of oil by a mill if the number of hands employed is less than ten. This enables certain employers to evade the cess by employing one or two hands less than the statutory limit. In order to obviate the possibility of loss of cess on this account, the definition of “mill” is being amended so as to include all mills where extraction of oil is done with the aid of power irrespective of the number of hands employed. Clause 2 contains the necessary amendment in this behalf.

2. Clause 3 seeks to give effect to certain changes in the representation of persons on the Committee based on insistent demand in this behalf from certain State Governments. Opportunity is also taken to amend clause (g) of the section providing separately for the representation on the Committee of members of the two Houses of Parliament on the lines of clause (g) of this section as it was originally enacted. At present, this clause provides that three persons shall be elected from among themselves by the members of Parliament collectively.

3. Under section 7(1) of the Act, the Vice-President of the Indian Council of Agricultural Research shall be the President of the Committee and this prevents the Central Government from nominating any other person to be the President of the Committee. Section 7(1) is therefore

being amended to empower the Central Government to nominate any person whether a member of the Committee or otherwise to be the President of the Committee.

4. Clause 5 of the Bill seeks to enlarge the scope of section 9 of the Act in order to include within the objects for which the Fund may be applied a few other matters.

5. Lastly, for the purpose of ensuring that full information exists with respect to all mills employed in the extraction of oil, a new section is being added making it obligatory upon the owner of mills to furnish to the Collector the prescribed information.

R. A. KIDWAI.

NEW DELHI;

*The 11th July, 1952.*

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M. N. KAUL,  
*Secretary.*